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FISCAL IMPACT REPORT

SPONSOR Ezzell ORIGINAL DATE 01/26/15
LAST UPDATED 02/18/15 HB 87/aHFL # 1
SHORT TITLE Water Quality Control Commission Meetings SB _____
ANALYST Sanogo

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
Attorney General's Office (AGO)
NM Department of Environment (NMED)

SUMMARY

Synopsis of House Floor Amendment #1:

The House floor amendment would require the Water Quality Control Commission (WQCC) to hold its hearings within the area that is substantially affected by the prospective WQCC regulation or standard.

Synopsis of Original Bill:

HB 87 will amend Section 74-6-6 NMSA 1978, Subsection C, to give the Water Quality Control Commission (WQCC) authority to set the time and location of public hearings related to the adoption of regulations and water quality standards. HB 87 includes an emergency clause.

FISCAL IMPLICATIONS

No fiscal impacts.

SIGNIFICANT ISSUES

Under the current statute, public hearings on proposed regulations and water quality standards of "statewide application" must be held in Santa Fe; proposed regulations that are "not of statewide application" may be held within the locality that is to be substantially affected. However, the Department of Environment (NMED) notes that the term "statewide application" is not defined in the statute. Because of this ambiguity, most public hearings must be held in Santa Fe, which

limits participation from certain members of the public who must travel significant distances to attend, often times during the work week.

On the other hand, the Attorney General's Office (AGO) asserts that HB 87 would provide WQCC with broader authority than many other state rulemaking bodies, with respect to the location of public hearings that WQCC conducts. The House floor amendment would restrict this authority, however, to limit hearing locations to within the area substantially affected by the prospective WQCC regulation or standard.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

WQCC will be limited in setting public hearing locations.

AIS/je/aml/bb